

CONTINUING PATENT APPLICATION TRANSMITTAL
(for Continuing Applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 7388/80351

First Named Inventor: TAKADA et al.

Mail Stop PATENT APPLICATION
Commissioner for Patents
U.S. Patent and Trademark Office
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

This is a request under 37 C.F.R. § 1.53(b) for
filing a:

☐ Continuation application,

☒ Divisional application,

☐ Continuation-in-Part application,

June 27, 2003

of pending prior application number 09/859,516, filed on May 18, 2001 by inventor(s)
Yasunori TAKADA, Koji TANAKA & Yasuhiro IKEURA for PLASTER CONTAINING
FELBINAC.

1. ☐ This is a continuation or divisional application. Enclosed is a copy of the prior application as originally filed, including specification, claims, drawings, and oath or declaration.

- or -

- ☒ Enclosed is a patent application (for continuation, divisional, or continuation-in-part applications) containing:

☒ 40 pages of the specification (including claims & Abstract).

☒ 2 sheet(s) of drawings. ☐ Formal ☐ Informal

2. ☐ Amend the specification by inserting before the first line the sentence: --This is a ☐ continuation, ☐ division, ☐ continuation-in-part, of prior application number _____, filed _____, which is hereby incorporated herein by reference in its entirety.--
- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 3 below, is considered as being part of the disclosure of the accompanying application, and is hereby incorporated by reference therein.
3. ☒ A copy of the executed Oath or Declaration filed in the prior nonprovisional application is enclosed.



4. ☐ Inventorship:
- ☐ A newly-executed Oath or Declaration and Power of Attorney is enclosed (for continuation-in-part applications, or for continuation or divisional applications naming an inventor not named in the prior application) (§ 1.63(a), (d)(5) and (e)).
 - ☐ Because this application is being filed by fewer than all of the inventors named in the prior application, delete the following inventor(s) named in the prior nonprovisional application (37 C.F.R. § 1.63(d)(1)(2)):

 - ☐ The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted Oath or Declaration and Power of Attorney (§ 1.41(a) and § 1.53(b)).
5. ☒ An Assignment of the invention to Hisamitsu Pharmaceutical Co., Inc., and cover sheet are enclosed.
- ☐ A check in the amount of \$_____ to cover the fee for recording the assignment is enclosed.
6. ☒ The prior application is assigned of record to Hisamitsu Pharmaceutical Co., Inc..
7. ☐ A 37 C.F.R. § 3.73(b) statement is enclosed where an assignee seeks to take action.
8. ☒ A preliminary amendment is enclosed.
9. ☐ Drawings:
- ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May be used only if signed by person authorized by § 1.138 and before payment of base issue fee.)
 - ☐ New formal drawings are enclosed.
 - ☐ Informal drawings are enclosed.
10. ☒ A separate written request under 37 C.F.R. § 1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. § 1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.

11. ☒ An Information Disclosure Statement is enclosed.
- ☒ A Form PTO/SB/08 is enclosed.
- ☐ _____ References (copies) listed on the Form PTO/SB/08 are enclosed.
12. ☐ A Computer Program Listing Appendix is enclosed.
- ☐ A Transmittal Cover Letter for Computer Program Listing Appendix is enclosed.
- ☐ Two (2) Compact Discs are enclosed.
13. ☐ A Nucleotide and/or Amino Acid Sequence Submission is enclosed.
- ☐ A Computer Readable Copy is enclosed.
- ☐ A Paper Copy (Identical to Computer Copy) is enclosed.
- ☐ A Statement Verifying Identity of above Copies is enclosed.
14. ☒ A Return Receipt Postcard is enclosed (MPEP §503).
15. ☒ Priority of application number P1996-342506 filed on December 6, 1996 in Japan is claimed under 35 U.S.C. §119.
- ☒ The certified copy of the priority document has been filed in prior application number 09/859,516, filed February 3, 2003.
- ☐ A certified copy of the priority document is enclosed.
16. ☒ Power of Attorney:
- ☒ The power of attorney in the prior application is to:
- ☒ Kendrew H. Colton, Registration No. 30,368
FITCH, EVEN, TABIN & FLANNERY
Suite 401L
1801 K Street, N.W.
Washington, D.C. 20006-1201.
and other members of the firm.
- ☐ Customer Number 22242.
- ☒ The power appears in the original papers in the prior application.
- ☐ Since the power does not appear in the original papers in the prior application, a copy of the power in the prior application is enclosed.
17. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

18. ☒ The filing fee is calculated below:

Fee Calculation for Claims as Filed in the Prior Application,
Less Any Claims Cancelled by Amendment

Basic Utility Fee					\$750.00	\$	750.00
Independent Claims	<u>2</u>	-	<u>3</u>	=	<u>0</u>	x	\$ 84.00 = \$ 0.00
Total Claims	<u>9</u>	-	<u>20</u>	=	<u>0</u>	x	\$ 18.00 = \$ 0.00
Fee for Multiply Dependent Claims					\$280.00		
or							
Basic Design Fee					\$330.00		
					Total Filing Fee	\$	750.00
<input type="checkbox"/> Applicant(s) assert entitlement to Small Entity Status, reducing the Filing Fee by half to:						\$	0.00

19. ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
20. ☒ Charge \$ 750.00 to Deposit Account No. 06-1135, under Order No. 7388/80351.
21. ☐ The payment of the Filing Fee is to be deferred until the Declaration is filed. Do not charge our Deposit Account.
22. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. A duplicate copy of this request is enclosed.
23. ☐ Also enclosed:

24. ☒ Address all future communications to:

Kendrew H. Colton
FITCH, EVEN, TABIN & FLANNERY
Suite 401L
1801 K Street, N.W.
Washington, D.C. 20006-1201

June 27, 2003

Date



Kendrew H. Colton

Registration No. 30,368

☒ Attorney or agent of record

☐ Filed under §1.34(a)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): TAKADA et al.)
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Appln No.: New Application)
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Filed: Herewith)
)
For: PLASTER CONTAINING)
FELBINAC)
)
Group Art Unit: To Be Assigned)
)
Examiner: To Be Assigned)
)
)

**GENERAL AUTHORIZATION FOR PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)(3)**

Mail Stop PATENT APPLICATION

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202
Sir:

Applicant(s) hereby request under 37 C.F.R. §1.136(a)(3) by this general authorization that any concurrent or future reply submitted by Applicant(s) to the United States Patent and Trademark Office for the above-identified patent application requiring a petition for an extension of time under §1.136(a) for its timely submission be treated as incorporating therein a petition for an extension of time for the appropriate length of time.

If Applicant(s) do not timely pay for any extension fee(s) pursuant to 37 C.F.R. §1.136(a) which may become due for this application under 37 C.F.R. §1.17 by check, the Commissioner is hereby authorized to charge such fee(s), and any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135, under Order No. 7388/80351.

June 27, 2003

Date



Kendrew H. Colton

Registration No. 30,368

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